

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
TACOMA DIVISION

FAAGAOSA FALEULU *on behalf of* TULI T
VIVAO, JR,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Civil No. 3:23-CV-06012-MLP

ORDER

Based on the parties' agreement and stipulation, and good cause shown, it is hereby
ORDERED as follows:

1. Pursuant to sentence four of 42 U.S.C. § 405(g), the above-captioned case is reverse d and remanded to the Defendant Commissioner of Social Security for further administrative proceedings and a new decision with respect to Plaintiff Tuli T. Vivao, Jr.'s applications for Disability Insurance Benefits and Supplemental Security Income under Titles II and XVI of the Social Security Act, respectively.
1. On remand, the administrative law judge (ALJ) shall further evaluate the claimant's impairments, particularly his cardiac impairment and lung impairment, with the assistance

1 of medical expert evidence and, as warranted, opinion evidence from the claimant's
2 medical providers who treated him during the relevant period. The Administrative Law
3 Judge will develop the record with medical opinion evidence, offer the claimant's
4 substitute party the opportunity for a hearing, and issue a new decision.

- 5 2. Plaintiff shall be entitled to move for reasonable attorney fees and costs, pursuant to
6 28 U.S.C. § 2412(d).

7 DATED this 19th day of April, 2024.

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9 MICHELLE L. PETERSON
10 United States Magistrate Judge

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13 Presented by:

14 s/ Lars J. Nelson

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